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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
10/748,858	12/29/2003	Gregory Lee Klingler		6436
36951 7	590 11/17/2004		EXAMINER	
GREGORY LEE KLINGER			BUTLER, DOUGLAS C	
824 E. IOWA AVE. DENVER, CO 80210			ART UNIT	PAPER NUMBER
,			3683	
			DATE MAILED: 11/17/2004	

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.	Applicant(s)				
Office Action Summary							
		10/748,858	KLINGLER, GREGORY LEE				
		Examiner	Art Unit				
		Douglas C. Butler	3683				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply							
THE - Exte after - If the - If NC - Failt Any	ORTENED STATUTORY PERIOD FOR REPL MAILING DATE OF THIS COMMUNICATION. nsions of time may be available under the provisions of 37 CFR 1. SIX (6) MONTHS from the mailing date of this communication. e period for reply specified above is less than thirty (30) days, a report of the period for reply is specified above, the maximum statutory period are to reply within the set or extended period for reply will, by statuting reply received by the Office later than three months after the mailing ed patent term adjustment. See 37 CFR 1.704(b).	136(a). In no event, however, may a reply be tiply within the statutory minimum of thirty (30) dali will apply and will expire SIX (6) MONTHS from the cause the application to become ABANDONI	mely filed ys will be considered timely. n the mailing date of this communication. ED (35 U.S.C. § 133).				
Status							
1)⊠	Responsive to communication(s) filed on <u>23 August 2004</u> .						
	This action is <b>FINAL</b> . 2b) This action is non-final.						
3)🖂	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is						
	closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.						
Disposit	ion of Claims						
4)⊠	Claim(s) <u>4-7</u> is/are pending in the application.						
-	4a) Of the above claim(s) is/are withdrawn from consideration.						
	Claim(s) <u>4-7</u> is/are allowed.						
6)	Claim(s) is/are rejected.						
7)	Claim(s) is/are objected to.						
8)	Claim(s) are subject to restriction and/or election requirement.						
Applicat	ion Papers	÷					
9) The specification is objected to by the Examiner.							
10) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.							
	Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).						
	Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).						
11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.							
Priority (	under 35 U.S.C. § 119						
	Acknowledgment is made of a claim for foreign All b) Some * c) None of:  1. Certified copies of the priority document 2. Certified copies of the priority document 3. Copies of the certified copies of the priority document copies of the certified copies of the priority document copies of the certified copies of the priority document copies of the certified copies of the priority document copies of the certified copies of the priority document copies of the certified copies of the priority document copies of the certified copies of the priority document copies of the certified copies of the priority document copies of the certified copies of the priority document copies of the certified copies of the priority document copies of the certified copies of the priority document copies of the certified copies of the priority document copies of the certified copies of the priority document copies of the certified copies of the priority document copies of the certified copies of the ce	ts have been received. ts have been received in Applicat	ion No				
application from the International Bureau (PCT Rule 17.2(a)).							
* See the attached detailed Office action for a list of the certified copies not received.							
Attachmen	t(s)						
	ce of References Cited (PTO-892)	4) Interview Summary					
3) 🔲 Infon	ce of Draftsperson's Patent Drawing Review (PTO-948) mation Disclosure Statement(s) (PTO-1449 or PTO/SB/08) rr No(s)/Mail Date	Paper No(s)/Mail D  5) Notice of Informal R  6) Other:	late Patent Application (PTO-152)				

Application/Control Number: 10/748,858

Art Unit: 3683

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## **DETAILED ACTION**

- 1. Claims 4-7 are allowed with claims 1-3 having been canceled.
- 2. This application is in condition for allowance except for the following formal matters:
  - (A) The following change to claim identifiers should be made:

"Claim 1 (currently canceled)" has been changed to - - Claim 1(canceled) - -.

"Claim 2 (previously canceled)" has been changed to - - Claim 2(canceled) - -.

"Claim 3 (currently canceled)" has been changed to - - Claim 3(canceled) - -.

(B) Figure 1 should be separated out into Figures 1a and 1b to show the separate front and side views. Changes should be made to the brief description of the drawings and detailed description to refer to Figures 1a and 1b and delete references to Figure 1 as currently used. See 37CFR1.84(f).

## INFORMATION ON HOW TO EFFECT DRAWING CHANGES

## **Replacement Drawing Sheets**

Drawing changes must be made by presenting replacement figures which incorporate the desired changes and which comply with 37 CFR 1.84. An explanation of the changes made must be presented either in the drawing amendments, or remarks, section of the amendment. Any replacement drawing sheet must be identified in the top margin as "Replacement Sheet" (37 CFR 1.121(d)) and include all of the figures appearing on the immediate prior version of the sheet, even though only one figure may be amended. The figure or figure number of the amended drawing(s) must not be labeled as "amended." If the changes to the drawing figure(s) are not accepted by the examiner, applicant will be notified of any required corrective action in the next Office action. No further drawing submission will be required, unless applicant is notified.

Identifying indicia, if provided, should include the title of the invention, inventor's name, and application number, or docket number (if any) if an application number has not been assigned to the application. If this information is provided, it must be placed on the front of each sheet and centered within the top margin.

3. As allowable subject matter has been indicated, applicant's reply must either comply with all formal requirements or specifically traverse each requirement not complied with. See 37 CFR 1.111(b) and MPEP § 707.07(a).

Prosecution on the merits is closed in accordance with the practice under *Ex* parte Quayle, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO**MONTHS from the mailing date of this letter.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas C. Butler whose telephone number is 703-308-2575. The examiner can normally be reached on m-f 5:30 am to 2pm.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free)

Douglas C. Butler Primary Examiner

Art Unit 3683